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Patent

Attorney's Docket No. 012712-813

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of)
Alejandro A. ARUFFO et al) Group Art Unit: 1641
Application No.: 09/467,317) Examiner: Unassigned
Filed: December 20, 1999)
For: CD40CR RECEPTOR AND)
LIGANDS THEREFOR)

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TELEFAX CENTER 1-800-2300

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to the Notice to File Missing Parts of Application Applicants respond as follows.

Together with the "Request for Filing Continuation/Divisional Application Under 37 C.F.R. §1.53(b)", Applicants included a copy of the unexecuted Declaration and Power of Attorney as originally filed in U.S. Application Serial No. 07/835,799, filed February 14, 1999. The unexecuted Declaration and Power of Attorney immediately preceded copies of the originally filed Assignment documents in the parent application. However, immediately preceding the unexecuted Declaration and Power of Attorney form, Applicants provided a copy of each of the three executed Declarations and Powers

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of Attorney, i.e., the first executed by inventors Aruffo and Ledbetter; the second executed by Randolph Noelle; and the third by Ivan Stamenkovic. Copies of these documents are again provided herewith for the convenience of the Patent Office.

Accordingly, it is believed that no fee for responding to the Notice to File Missing Parts is warranted. However, should a fee be deemed necessary, the Commissioner is hereby authorized to charge any deficiency to Deposit Account No. 02-4800. This paper is submitted in duplicate.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

By: Robin L. Teskin
Robin L. Teskin
Registration No. 35,030

Post Office Box 1404
Alexandria, VA 22313-1404
(703) 836-6620

Date: April 17, 2000

**UNITED STATES DEPARTMENT OF COMMERCE****Patent and Trademark Office**Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NUMBER

FILING/RECEIPT DATE

FIRST NAMED APPLICANT

ATTORNEY DOCKET NO./TITLE

09/467,317

12/20/99 ARUED

012712-813

U.S. P. 39

12/20/99

BURNS DOANE SWECKER & MATHIS
P O BOX 1404
ALEXANDRIA VA 22313-1404

DATE MAILED:

02/14/00

NOTICE TO FILE MISSING PARTS OF APPLICATION***Filing Date Granted***

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the SURCHARGE set forth in 37 CFR 1.16(e) of \$65.00 for a small entity in compliance with 37 CFR 1.27, or \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a small entity (statement filed) non-small entity is \$ 130.00.

1. The statutory basic filing fee is:

missing
 insufficient

Applicant must submit \$ _____ to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

2. The following additional claims fees are due:

\$ _____ for total claims over 20

\$ _____ for independent claims over 3

\$ _____ for multiple dependent claim surcharge

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

3. The oath or declaration:

is missing or unsigned.
 does not cover the newly submitted items.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).

7. Your filing receipt was mailed in error because your check was returned without payment.

8. The application was filed in a language other than English.

Applicant must file a verified English translation of the application, the \$130.00 set forth in 37 CFR 1.17(k), unless previously submitted, and a statement that the translation is accurate (37 CFR 1.52(d)).

9. OTHER:

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

A copy of this notice MUST be returned with the reply.

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100% Phimmon, L.